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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Peter Stangel

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EXAMINER

COBANOGLU, DILEK B

ART UNIT

PAPER NUMBER

3626

NOTIFICATION DATE

DELIVERY MODE

06/27/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 09/772,394	Applicant(s) STANGEL, PETER	
	Examiner DILEK B. COBANOGLU	Art Unit 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 37-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 37-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/14/2001, 8/30/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the amendment received on 03/07/2008. Claims 1-36 have been canceled, and claims 37-68 are newly added. Claims 37-68 remain pending in this application.

Specification

Claim Objection

2. Claim 66 is objected to because of the following informalities: Claim 66 recites "The computer readable media of claim 63, the instructions further comprising instructions for displaying the criteria selection interface to the user within a single screen such that the user does not have to **school** within the single screen while selecting criteria." Examiner considers that there is a typographical error, and it should be "**scroll**", same as the second limitation of claim 37.
3. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 37 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. Claim 37 recites a computer readable media having instructions for providing a patient clinical encounter information collection system tangibly stored thereon, the instructions, when executed by a computer, comprising instructions for: retrieving instructions from a server, the instructions comprising: a) a navigation module; b) a verification module; and, c) a user interface comprising a plurality of fields, the arrangement of the plurality of fields being fixed and arranged as on a clinical chart. Therefore according to the claim, the computer readable medium does not involve these modules, but it only retrieves these instructions/modules from the server. Claim continues to recite “computer readable media comprising the instruction of causing the client device to display the user interface, including the plurality of fields”, but the media does not really involve these modules and the user interface, therefore it’s not clear if the computer readable media recited in this claim is only for launching to the server.

B. Examiner considers that the computer readable media involves the instructions comprising: a navigation module, a verification module and a user interface, therefore it can cause the client device to display the user interface, receiving patient clinical encounter information from the user, executing the navigation module and the verification module on the client device

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3626

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 37-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell et al. (hereinafter Campbell) (U.S. Patent No. 6,047,259) in view of Hayward et al. (hereinafter Hayward) (U.S. Patent No. 5,574,828).

A. As per newly added claim 37, Campbell discloses a computer readable media having instructions for providing a patient clinical encounter information collection system tangibly stored thereon, the instructions, when executed by a computer, comprising instructions for:

- i. retrieving instructions from a server, the instructions comprising:
 - a) a navigation module (Campbell; col. 14, lines 3-35, Figure 9-10);
 - b) a verification module (Campbell; col. 5, lines 33-61); and,
 - c) a user interface comprising a plurality of fields, the arrangement of the plurality of fields being fixed and arranged as on a clinical chart (Campbell; col. 3, line 45 to col. 4, line 11, col. 14, lines 19-29, Figure 5);
- ii. causing the client device to display the user interface, including the plurality of fields, within a single screen to a user, the user interface facilitating the entry of patient clinical encounter information into the plurality of fields by not requiring the user to scroll the user interface within the single screen (Campbell; col. 13, lines 58-65, Figure 5);

- iii. receiving patient clinical encounter information from the user (Campbell; col. 13, lines 58-65, Figure 5);
- iv. executing the navigation module on the client device in response to the received patient clinical encounter information, the navigation module modifying the contents of at least one of the plurality of fields; receiving at least one diagnosis selected by the user via the user interface (Campbell; col. 14, lines 3-35, Figure 9-10);
- v. executing the verification module on the client device, the verification module determining an authorization level for the diagnosis by referring to the contents of at least a subset of the plurality of fields (Campbell; col. 5, lines 33-61); and,
- vi. submitting the patient clinical encounter information and diagnosis to the server after determining the authorization level (Campbell; col. 14, lines 19-29, col. 5, lines 33-61, Figure 5).

Campbell fails to expressly teach at least one of the fields comprising a pop-up list. However, this feature is well known in the art, as evidenced by Hayward.

In particular, Hayward discloses at least one of the fields comprising a pop-up list (Hayward; col. 16, line 49 to col. 17, line 3).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as

disclosed by Hayward with the motivation of generating second program automatically based on the answers to the questions (Hayward; abstract).

B. As per newly added claim 38, Campbell discloses the computer readable media of claim 37, the instructions received from the server further comprising instructions for one or more criteria corresponding to a diagnosis, the criteria being displayed to the user in at least one of the plurality of fields (Campbell; col. 14, lines 30-52).

C. As per newly added claim 39, Campbell discloses the computer readable media of claim 38, the instructions received from the server further comprising instructions for determining of an authorization level by referring to the criteria (Campbell; col. 5, lines 35-61).

D. As per newly added claim 40, Campbell discloses the computer readable media of claim 37, the instructions received from the server further comprising instructions for a rule database, the rule database being employed by the verification module when determining the authorization level on the client device (Campbell; col. 6, lines 23-36).

E. As per newly added claim 41, Campbell discloses the computer readable media of claim 40, the rule database storing at least two levels of rules, the levels comprising:

- i. a criteria level, the criteria level rules determining a criteria status by referring to data from at least one of the plurality of fields (Campbell; col. 16, line 66 to col. 17, line 7); and,
- ii. a diagnosis level, the diagnosis level rules determining a diagnosis authorization level by referring to the criteria status of at least one criteria level rule (Campbell; col. 5, lines 33-61 and col. 17, lines 8-10).

F. As per newly added claim 42, Campbell discloses the computer readable media of claim 37, at least a subset of the plurality of fields being related in a hierarchical manner, the navigation module changing the content of at least one of the plurality of fields based on selections made therein by the user (Campbell; col. 12, line 59 to col. 13, line 18).

G. As per newly added claim 43, Campbell discloses the computer readable media of claim 42, the verification module further comprising a plurality of criteria rules, the verification module evaluating the criteria rules to determine whether the patient clinical encounter information meets one or more criteria for determining an authorization level (Campbell; col. 5, lines 33-61).

H. As per newly added claim 44, Campbell discloses the computer readable media of claim 37, the instructions being retrieved via the Internet (Campbell; col. 5, lines 19-32).

I. As per newly added claim 45, Campbell discloses a computer readable media having instructions tangibly stored thereon for facilitating the submission of

a clinical record for automated processing, the instructions, when executed by a computer, comprising instructions for:

- i. displaying a selection interface to a user within a single screen, the selection interface facilitating selection by the user of a plurality of predetermined clinical data types, the predetermined clinical data types comprising data necessary for creating at least a record of the symptoms associated with a patient and a diagnosis (Campbell; col. 3, lines 35-47, col. 1, lines 62 to col. 2, line 13, col. 13, lines 58-65, Figure 5);
- ii. receiving a selection from the selection interface (Campbell; col. 1, lines 62-64, col. 3, lines 55-64, Figures 5, 9, 10, 13); and,
- iii. adding at least one data field in response to the selection, the data field being selected by a navigation module, to the displayed selection interface, the data field being quantified and associated with an objective criteria, the data field facilitating automated processing of the clinical record (Campbell; col. 12, lines 13-20, Figure 4-5).

J. As per newly added claim 47, Campbell discloses a computer readable media having instructions for facilitating the submission of a clinical record for automated processing tangibly stored thereon, the instructions, when executed by a computer, comprising instructions for:

- i. receiving a diagnosis from a user via a user interface running on a client device (Campbell; col. 14, lines 19-52, Figure 5);

- ii. receiving a criteria selection from the user via the user interface, the criteria being selected from a pre-defined list of criteria associated with the diagnosis, the criteria associated with a rule required for confirming the diagnosis, the criteria associated with at least one finding (Campbell; col. 16, lines 43-54);
- iii. receiving data from the user corresponding to at least a subset of the at least one finding associated with the user selected criteria (Campbell; col. 12, line 59 to col. 13, line 20);
- iv. verifying, on the client device, that all necessary data associated with the diagnosis has been received from the user (Campbell; col. 12, line 59 to col. 13, line 20);
- v. transmitting the data received from the user to a server to facilitate creation by the server of an electronic clinic record based on the data (Campbell; col. 12, line 59 to col. 13, line 20 and col. 17, lines 8-10).

K. As per newly added claim 48, Campbell discloses the computer readable media of claim 47, the data being transmitted from the client to the server via the Internet (Campbell; col. 5, lines 19-32).

L. As per newly added claim 49, Campbell discloses computer readable media having instructions for providing a user interface for entering data for evaluating a clinical encounter tangibly stored thereon, the instructions, when executed by a computer, comprising instructions for displaying a user interface, the user interface comprising an interactive set of lists, each of the lists in the

interactive set of lists having its own domain, and each of the lists in the interactive set of lists being displayed as a separate pop-up button list within a single screen, at least a subset of the lists being hierarchically related, the interactive set of lists being formatted to be similar to a clinical chart (Campbell; col. 17, lines 46-52, Figure 10, col. 12, line 59 to col. 13, line 20, col. 1, line 62 to col. 2, line 13).

M. As per newly added claim 50, Campbell discloses the computer readable media of claim 49, the user interface further comprising a display area, the display area displaying a parameter and at least one corresponding finding, each parameter being displayed proximate to the associated at least one finding (Campbell; col. 16, line 66 to col. 17, line 7, Figure 5). Examiner considers that observations would include related parameters.

N. As per newly added claim 51, Campbell discloses the computer readable media of claim 49, the user interface further comprising a data entry area, the data entry area being adapted to facilitate entry of a plurality of findings for a parameter (Campbell; col. 13, line 58 to col. 14, line 8, Figure 5).

O. Newly added claim 52 recites the computer readable media of claim 49, the interactive set of lists further comprising at least four pop-up button lists, the at least four pop-up button lists comprising at least one of each of an element pop-up button list, a system/group pop-up button list, a parameter pop-up button list, and a finding pop-up button list. Campbell discloses at least four lists are displayed and include at least one of an Element list, a System/Group list, a

Parameter list, and a Finding list (Campbell; col. 12, lines 14-21, col. 12, line 59 to col. 13, line18, Figure 4).

- The obviousness of modifying the teaching of Campbell to include the pop-up button list (as taught by Hayward) is as addressed above in the rejection of claim 37 and incorporated herein.

P. As per newly added claim 53, Campbell discloses the computer readable media of claim 52, the instructions further comprising instructions for:

- i. relating the at least four lists hierarchically (Campbell; col. 12, line 59 to col. 13, line18, Figure 4); and
 - ii. receiving a selection in list and populating at least the next lower list in the hierarchy (Campbell; col. 12, line 59 to col. 13, line18, Figure 4).
- The obviousness of modifying the teaching of Campbell to include the pop-up button list (as taught by Hayward) is as addressed above in the rejection of claim 37 and incorporated herein.

Q. As per newly added claim 54, Campbell discloses the computer readable media of claim 52, the instructions further comprising instructions for:

- i. receiving an entry in the element button list and populating the system/group button list with available entries (Campbell; col. 12, line 59 to col. 13, line18);
- ii. receiving an entry in the system/group button list and populating the parameter button list with available entries (Campbell; col. 13, line 58-65);

- iii. receiving an entry in the parameter button list and populating the finding button list with available entries (Campbell; col. 13, line 58 to col. 14, line 8); and
- iv. receiving an entry in the finding button list and performing one of:
 - a) entering the selecting finding with the selected parameter into a chart note data field in the user interface (Campbell; col. 13, line 58 to col. 14, line 8); and,
 - b) prompting the user to enter a numeric value associated with the finding and entering the finding, numeric value, and selected parameter into a chart note data field in the user interface (Campbell; col. 13, line 58 to col. 14, line 8).
- The obviousness of modifying the teaching of Campbell to include the pop-up button list (as taught by Hayward) is as addressed above in the rejection of claim 37 and incorporated herein.

R. As per newly added claim 55, Campbell discloses the computer readable media of claim 54, the instructions further comprising instructions for:

- i. receiving a selection in a criteria button list (Campbell; col. 12, line 59 to col. 13, line 18 and col. 13, line 58 to col. 14, line 8); and
- ii. populating the element button list, system/group button list, parameter button list, and finding button list based upon the selection

(Campbell; col. 12, line 59 to col. 13, line 18 and col. 13, line 58 to col. 14, line 8).

- The obviousness of modifying the teaching of Campbell to include the pop-up button list (as taught by Hayward) is as addressed above in the rejection of claim 37 and incorporated herein.

S. As per newly added claim 56, Campbell discloses the computer readable media of claim 55, the instructions further comprising instructions for entering diagnosis-relevant data either by:

- i. receiving a criteria list selection and prompting the user to make a selection in the finding list (Campbell; col. 13, line 58 to col. 14, line 8, Figure 4-5); or
- ii. receiving a criteria list selection and prompting the user to enter a numerical value (Campbell; col. 13, line 58 to col. 14, line 8, Figure 4-5).

- The obviousness of modifying the teaching of Campbell to include the pop-up button list (as taught by Hayward) is as addressed above in the rejection of claim 37 and incorporated herein.

T. As per newly added claim 57, Campbell discloses the computer readable media of claim 56, the instructions further comprising instructions for:

- i. receiving a selection in an additional information list (Campbell; col. 13, line 58 to col. 14, line 8, Figure 4-5); and

ii. setting the element list, the system/group list, parameter list, and finding list based upon the selection (Campbell; col. 13, line 58 to col. 14, line 8, Figure 4-5).

- The obviousness of modifying the teaching of Campbell to include the pop-up button list (as taught by Hayward) is as addressed above in the rejection of claim 37 and incorporated herein.

U. As per newly added claim 58, Campbell discloses a computer readable media having instructions for providing a patient clinical encounter information processing system tangibly stored thereon, the instructions, when executed by a computer, comprising instructions for:

- i. retrieving instructions from a server, the instructions comprising:
 - a) at least one form (Campbell; col. 5, lines 33-38, Figures 3-7);
 - b) a first set of rules (Campbell; col. 6, lines 23-36); and,
 - c) a second set of rules (Campbell; col. 16, line 66 to col. 17, line 7);
- ii. causing a client device to display the at least one form (Campbell; col. 12, lines 13-20);
- iii. configuring at least a first subset of forms to apply the first set of rules to at least a first subset of inputs entered into the first subset of

forms, the first set of rules being applied by the client device (Campbell; col. 6, lines 23-30);

iv. configuring at least a second subset of forms to apply the second set of rules to at least a second set of inputs entered into the second subset of forms, the second set of rules being applied by the client device (Campbell; col. 16, line 66 to col. 17, line 7);

v. receiving patient clinical encounter data from at least one user (Campbell; col. 16, lines 33-54);

vi. processing the received patient clinical encounter data on the client device in accordance with the first and second set of rules (Campbell; col. 6, lines 23-36, col. 16, line 66 to col. 17, line 7).

V. As per newly added claim 59, Campbell discloses the computer readable media of claim 58, the first subset of forms and the second subset of forms being the same (Campbell; col. 6, lines 23-36, col. 16, line 66 to col. 17, line 7).

W. As per newly added claim 60, Campbell discloses the computer readable media of claim 58, the instructions received from the server further comprising instructions for applying the first set of rules when the first subset of inputs is received and for applying the second set of rules when the second subset of inputs is received (Campbell; col. 6, lines 23-36, col. 16, line 66 to col. 17, line 7).

X. As per newly added claim 61, Campbell discloses the computer readable media of claim 58, the instructions being retrieved via the Internet (Campbell; col. 5, lines 19-32).

Y. As per newly added claim 62, Campbell discloses a computer readable media having instructions for providing a facilitating the single screen submission of patient clinical encounter information tangibly stored thereon, the instructions, when executed by a computer, comprising instructions for:

- i. providing a clinical element selection interface, the clinical element selection interface facilitating the selection of a clinical element, the clinical elements comprising at least one of history and exam (Campbell; col. 13, lines 58-65);
- ii. providing a system/group selection interface, the system/group interface facilitating the selection of a system/group associated with the selected clinical element, the system/group interface being populated based upon the selected clinical element (Campbell; col. 13, line 66 to col. 14, line 8);
- iii. providing a parameter selection interface, the parameter selection interface facilitating the selection of a parameter associated with the selected system/group, the parameter selection interface being populated based upon the selected system/group (Campbell; col. 13, line 66 to col. 14, line 8, Figure 5);
- iv. causing a client device to display the clinical element selection interface, the system/group interface and the parameter selection interface within a single screen (Campbell; col. 13, line 66 to col. 14, line 8, Figure 5).

Art Unit: 3626

Z. As per newly added claim 63, Campbell discloses a computer readable media having instructions for determining the appropriateness of patient clinical encounter information tangibly stored thereon, the instructions, when executed by a computer, comprising instructions for:

- i. causing a client device to display a criteria selection interface to a user, the criteria selection interface allowing the user to select a diagnosis-based criteria (Campbell; col. 16, lines 33-42);
- ii. receiving diagnosis related data from the user (Campbell; col. 16, line 66 to col. 17, line 10);
- iii. causing the client device to apply a verification rule to the received diagnosis related data, the verification rule providing a verification result, the verification result providing an authorization level for each selected criterion in the criteria selection interface (Campbell; col. 16, line 66 to col. 17, line 10).

AA. As per newly added claim 64, Campbell discloses the computer readable media of claim 63, the instructions further comprising the client device retrieving the criteria selection interface from a server via the Internet (Campbell; col. 5, lines 19-32).

BB. As per newly added claim 65, Campbell discloses the computer readable media of claim 63, the instructions further comprising instructions for presenting the criteria selection interface in a clinical format that is familiar to clinicians and healthcare reviewers (Campbell; col. 3, lines 35-47, col. 16, lines 23-30).

CC. As per newly added claim 66, Campbell discloses the computer readable media of claim 63, the instructions further comprising instructions for displaying the criteria selection interface to the user within a single screen such that the user does not have to scroll within the single screen while selecting criteria (Campbell; col. 13, lines 58-65, Figure 5).

8. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell et al. (hereinafter Campbell) (U.S. Patent No. 6,047,259), Hayward et al. (hereinafter Hayward) (U.S. Patent No. 5,574,828) and further in view of Kaker et al. (hereinafter Kaker) (U.S. Patent Publication No. 2001/0037218 A1).

A. As per newly added claim 46, Campbell discloses the computer readable media of claim 45.

Campbell fails to expressly teach at least one data field are provided via an HTML web page on the Internet. However, this feature is well known in the art, as evidenced by Kaker.

In particular, Kaker discloses at least one data field is provided via an HTML web page on the Internet (Kaker; paragraphs: 0055-0056).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Kaker with the motivation of medical professionals, hospitals, organizations to access letters and forms (Kaker; paragraph: 0004).

9. Claims 67 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell et al. (hereinafter Campbell) (U.S. Patent No. 6,047,259), Hayward et al. (hereinafter Hayward) (U.S. Patent No. 5,574,828) and further in view of Cummings, Jr. (hereinafter Cummings) (U.S. Patent No. 5,301,105).

A. As per newly added claim 67, Campbell discloses a computer readable media having instructions for an electronic clinical record creation and review system tangibly stored thereon, the instructions, when executed by a computer, comprising instructions for:

- i. causing a client device to display a user interface, the user interface prompting the user for clinically relevant inputs (Campbell; col. 3, line 45 to col. 4, line 11, col. 14, lines 19-29, Figure 5);
- ii. receiving clinically relevant inputs from the user, the clinically relevant inputs comprising a diagnosis and at least one patient symptom, the at least one symptom being clinically relevant to the diagnosis (Campbell; col. 1, line 62 to col. 2, line 13);
- iii. verifying the diagnosis on the client device by ensuring that sufficient symptoms have been received (Campbell; col. 1, line 62 to col. 2, line 13);
- iv. generating an electronic clinical record on the client device (Campbell; col. 1, line 62 to col. 2, line 13); and transmitting the electronic clinical record to a health care reviewing organization for review.

Campbell fails to expressly teach transformation of physical patient charts for review by health care review organizations. However, this feature is well known in the art, as evidenced by Cummings.

In particular, Cummings discloses transformation of physical patient charts for review by health care review organizations (Cummings; abstract and col. 2, line 65 to col. 3, line 2).

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aforementioned limitation as disclosed by Cummings with the motivation of improving diagnosis, treatment and cost effectiveness (Cummings; col. 3, lines 3-6).

B. As per newly added claim 68, Campbell discloses the computer readable media of claim 67, the instructions further comprising instructions for transmitting the electronic clinical record via the Internet (Campbell; col. 5, lines 33-61).

Response to Arguments

10. Applicant should submit an argument under the heading "Remarks" pointing out disagreements with the examiner's contentions. Applicant must also discuss the references applied against the claims, explaining how the claims avoid the references or distinguish from them. Applicant states "none of the previously cited prior art references, nor any other combination thereof teaches or suggests the consolidation of the requisite data entry fields into a single screen, the use of a navigation module to modify the fields in response to patient clinical encounter information being entered by a user, or the

verification of that information on the client-side prior to submitting the information to a server, as positively recited in newly added claims 37-68". Applicant needs to specify which claims and limitations the applied prior art does not teach and why.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
12. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DILEK B. COBANOGU whose telephone number is (571)272-8295. The examiner can normally be reached on 8-4:30.
14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher L. Gilligan can be reached on 571-272-6770. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3626

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. B. C./
Examiner, Art Unit 3626

/C Luke Gilligan/
Supervisory Patent Examiner, Art Unit 3626